IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.SASIDHARAN NAMBIAR

TUESDAY, THE 13TH NOVEMBER 2007 / 22ND KARTHIKA 1929

LA.App..No. 938 of 2005(D)

LAR.11/2000 of SUB COURT, NEDUMANGAD
.....

APPELLANT: (CLAIMANT):

RUGMINI, D/O. CHELLAMMA,
ORULPANJANKUZHI PUTHEN VEEDU, KANJIRAMPARA,
KARIPOOR VILLAGE, NEDUMANGAD.

BY ADV. SRI.G.S.REGHUNATH

RESPONDENT: (RESPONDENT):

STATE OF KERALA,
REP. BY THE SPECIAL TAHSILDAR, P.W.D.(S.C),
TRIVANDRUM.

BY

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 13/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J U D G M E N T

In view of the order in CMA 1263/05, the appeal is dismissed.

13/11/2007 **Sd/- M.Sasidharan Nambiar, Judge**

/True Copy/

P.A.to Judge

M.SASIDHARAN NAMBIAR, J.

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C.M.APPLICATION 1263 OF 2005

IN L.A.APPEAL 938 OF 2005

.....

DATED THIS THE 13TH DAY OF NOVEMBER, 2007

ORDER

This petition is filed to condone the delay of 753 days in filing the appeal. Case of the petitioner is that she was instructed by the counsel that she will be informed about the disposal of the reference case but she did not get the information and on 5.12.2003 she got information that judgment was pronounced and counsel had obtained the certified copy and she approached the counsel but he refused to hand over copy and therefore she had to inform the counsel that she will approach the Bar Council and then only certified copy was handed over on 24.1.2004. Though the affidavit was not satisfactory and petitioner was directed to furnish a proper affidavit explaining sufficient reason, no affidavit was filed as directed. The delay of 753 days cannot be condoned without properly explaining the delay. In such circumstances, petition is dismissed.

M.SASIDHARAN NAMBIAR, JUDGE

lgk/-